

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

THE AMERICAN CIVIL LIBERTIES
UNION OF NORTHERN CALIFORNIA, et
al.,

Plaintiffs,

v.

FEDERAL BUREAU OF INVESTIGATION,
et al.,

Defendants.

No. C 10-03759 LB

**ORDER DIRECTING THE
GOVERNMENT TO PRODUCE
TABLE AND RE: TELEPHONIC
FURTHER STATUS CONFERENCE
SET FOR NOVEMBER 3, 2011**

On April 13, 2011, the parties entered into a stipulation for processing Plaintiffs' FOIA request within eight months (absent a further order of the court). Stipulation and Order, ECF No. 56.¹ As of September 8, 2011, the FBI identified 30,000 additional documents. By joint status update statement submitted on October 4, 2011, the parties advised the court that they had been unable to agree on a production schedule. Joint Status Update Statement, ECF No. 72 at 2. More specifically, the FBI says that it cannot prioritize the documents without causing further delays, and at least as of September 30, 2011, said it needs until December 2012 to process the additional documents.

The government is directed to produce a table documenting its productions to date (including the number of pages produced and the dates of production) and setting forth its proposal for rolling

¹ Citations are to the Electronic Case File ("ECF") with pin cites to the electronic page number at the top of the document, not the pages at the bottom.

1 disclosures, keeping in mind that the table should reflect the currently-operative timeline that results
2 in disclosure of all previously-identified documents by December 2011. The chart need not provide
3 elaborate detail but should be a snapshot of the disclosures to date and contain the FBI's *best*
4 proposal for a timeline for producing the rest.

5 The chart should be provided to the court and Plaintiffs by Tuesday, November 1, 2011, by 5:00
6 p.m Eastern Time. It may be e-filed or e-mailed to the court's proposed orders inbox at
7 lbpo@cand.uscourts.gov. The parties are encouraged to meet and confer by telephone on
8 Wednesday, November 2, 2011, to make the scheduled telephone call on Thursday, November 3,
9 2011, more productive.

10 The time of the call remains 11:00 a.m., and the court's previous order about who should attend
11 also remains in effect. There is a new call-in number and password that will be emailed separately
12 to the email addresses contained on page one of the parties' joint status update statement filed on
13 October 4, 2011. To the extent that there are other participants that the court has ordered to
14 participate on the call (as outlined in the October 14, 2011 clerk's notice (ECF No.73)), counsel
15 shall notify them of the call-in information. If there is any other information that would be helpful,
16 the parties may supplement their previously-filed joint status update statement or submit separate,
17 informal communications either by filing them or sending them to the court's proposed orders inbox.

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19 **IT IS SO ORDERED.**

20 Dated: October 27, 2011

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22 LACREL BEELER
23 United States Magistrate Judge
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